

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Dexter Gardner,)	
)	C/A No. 2:07-2209-JFA
Plaintiff,)	
)	
vs.)	ORDER
)	
Jon Ozmint; Stan Burt; Adrian Martell; R. Reeves;)	
Robert Ward; Fred Thompson; Thierry Nettles;)	
Tim B. Roof; Gilbert Emrehein; NFN Williams;)	
J. Powell; Yvette Blowe,)	
)	
Defendants.)	

Plaintiff, a prisoner proceeding *pro se*, signed a complaint filed pursuant to 42 U.S.C. § 1983 concerning prison conditions at Lieber Correctional Institution, a facility of the South Carolina Department of Corrections. Plaintiff was one of several hundred signatories to the complaint. On July 6, 2007, this Court issued an Order denying the request for certification of class action in *Lilly v. Ozmint*, 2:07-1700-JFA, and directing that the multiple plaintiff case be separated into individual cases for each plaintiff. [Docket # 1]. By Order dated August 7, 2007, Plaintiff was given an opportunity in this case to present his individual claims against the named defendants by filing an Amended Complaint. Plaintiff, however, did not receive the Order because it was returned to the Court as undeliverable mail marked “unable to forward.” Plaintiff has not provided the Court with an address at which he receives mail, and the Court’s docket indicates no attempt by Plaintiff to contact the Court since filing the initial complaint with a correct address. Plaintiff has failed to pursue and prosecute his case.

This case is dismissed *without prejudice* pursuant to Rule 41 of the Federal Rules of Civil Procedure. *See Link v. Wabash R.R. Co.*, 370 U.S. 626 (1962)(District Court has inherent power to

sua sponte dismiss case for lack of prosecution).

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge

September 17, 2007.
Columbia, South Carolina